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Agenda item 30

International cooperation in the peaceful uses of outer space

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Khalid Mohammed Osman **Ali** (Sudan)

I. Introduction

1. At its 2nd plenary meeting, on 18 September 2009, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-fourth session the item entitled "International cooperation in the peaceful uses of outer space" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee considered the item at its 12th, 13th, 14th, 20th and 25th meetings, on 20, 21, 22 and 30 October and 19 November 2009 (see A/C.4/64/SR.12-14, 20 and 25).

3. For its consideration of the item, the Committee had before it the report of the Committee on the Peaceful Uses of Outer Space.[1]

4. At its 1st meeting, on 1 October, the Committee decided to establish a Working Group of the Whole on international cooperation in the peaceful uses of outer space, to be chaired by the delegation of Colombia, to prepare proposals to be submitted under the item.

5. At the 12th meeting, on 20 October, two panellists, representing the Oceans and Human Health Initiative of the National Oceanic and Atmospheric Administration of the United States of America and the Office for Outer Space Affairs of the United Nations Secretariat made presentations on the theme "Space for global health — space technology and pandemics" (see A/C.4/64/SR.12).

6. Also at the 12th meeting, the Chairperson of the Committee on the Peaceful Uses of Outer Space introduced the report of that Committee (see A/C.4/64/SR.12).

[1] *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 20* (A/64/20).

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II. Consideration of draft resolutions A/C.4/64/L. 2/Rev.1 and A/C.4/64/L.4

7. At its 12th meeting, on 20 October, the Committee had before it a draft resolution entitled "International cooperation in the peaceful uses of outer space" (A/C.4/64/L.2), submitted by Colombia in its capacity as Chair of the Committee on the Peaceful Uses of Outer Space, as well as a draft resolution bearing the same title submitted by Chile and Mexico (A/C.4/64/L.4).

8. At the same meeting, the representative of Chile announced that draft resolution A/C.4/64/L.4 had been withdrawn by its sponsors.

9. At its 20th meeting, on 30 October, the Committee had before it a revised draft resolution entitled "International cooperation in the peaceful uses of outer space" (A/C.4/64/L.2/Rev.1), submitted by the representative of Colombia in his capacity as Chairperson of the Working Group of the Whole.

10. At the same meeting, the Committee decided to defer action on draft resolution A/C.4/64/L.2/Rev.1.

11. At the 25th meeting, on 19 November, the representative of Colombia, in his capacity as Chairperson of the Working Group of the Whole, orally revised draft resolution A/C.4/64/L.2/Rev.1 as follows:

(a) In operative paragraph 26, the words "encourages interregional dialogue" were replaced by the words "fosters interregional dialogue";

(b) In operative paragraph 28, the words "set up national space entities to lay the foundation for a regional entity for cooperation" were placed within quotation marks.

12. At the same meeting, the Committee adopted draft resolution A/C.4/64/L.2/Rev.1, as orally revised, without a vote (see para. 13).

III. Recommendation of the Special Political and Decolonization Committee (Fourth Committee)

13. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolution:

International cooperation in the peaceful uses of outer space

The General Assembly,

Recalling its resolutions 51/122 of 13 December 1996, 54/68 of 6 December 1999, 59/2 of 20 October 2004, 61/110 and 61/111 of 14 December 2006, 62/101 of 17 December 2007, 62/217 of 22 December 2007 and 63/90 of 5 December 2008,

Deeply convinced of the common interest of mankind in promoting and expanding the exploration and use of outer space, as the province of all mankind, for peaceful purposes and in continuing efforts to extend to all States the benefits derived therefrom, and also of the importance of international cooperation in this field, for which the United Nations should continue to provide a focal point,

Reaffirming the importance of international cooperation in developing the rule of law, including the relevant norms of space law and their important role in international cooperation for the exploration and use of outer space for peaceful purposes, and of the widest possible adherence to international treaties that promote the peaceful uses of outer space in order to meet emerging new challenges, especially for developing countries,

Seriously concerned about the possibility of an arms race in outer space, and bearing in mind the importance of article IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies[1] (Outer Space Treaty),

Recognizing that all States, in particular those with major space capabilities, should contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion and strengthening of international cooperation in the exploration and use of outer space for peaceful purposes,

Recognizing also that space debris is an issue of concern to all nations,

Noting the progress achieved in the further development of peaceful space exploration and applications as well as in various national and cooperative space projects, which contributes to international cooperation, and the importance of further developing the legal framework to strengthen international cooperation in this field,

Convinced of the importance of the recommendations in the resolution entitled "The Space Millennium: Vienna Declaration on Space and Human Development", adopted by the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III), held at Vienna from 19 to 30 July 1999,[2] and

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[1] United Nations, *Treaty Series*, vol. 610, No. 8843.

[2] See *Report of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space, Vienna, 19-30 July 1999* (United Nations publication, Sales No. E.00.I.3), chap. I, resolution 1.

the need to promote the use of space technology towards implementing the United Nations Millennium Declaration,[3]

Seriously concerned about the devastating impact of disasters,[4]

Desirous of enhancing international coordination and cooperation at the global level in disaster management and emergency response through greater access to and use of space-based services for all countries and facilitating capacity-building and institutional strengthening for disaster management, in particular in developing countries,

Deeply convinced that the use of space science and technology and their applications in areas such as telemedicine, tele-education, disaster management, environmental protection and other Earth observation applications contribute to achieving the objectives of the global conferences of the United Nations that address various aspects of economic, social and cultural development, particularly poverty eradication,

Taking note, in that regard, of the fact that the 2005 World Summit recognized the important role that science and technology play in promoting sustainable development,[5]

Having considered the report of the Committee on the Peaceful Uses of Outer Space on the work of its fifty-second session,[6]

1. *Endorses* the report of the Committee on the Peaceful Uses of Outer Space on the work of its fifty-second session;[6]

2. *Agrees* that the Committee on the Peaceful Uses of Outer Space, at its fifty-third session, should consider the items recommended by the Committee at its fifty-second session;

3. *Notes* that, at its forty-eighth session, the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space continued its work,[7] as mandated by the General Assembly in its resolution 63/90;

4. *Agrees* that the Legal Subcommittee, at its forty-ninth session, should consider the items recommended by the Committee,[8] taking into account the concerns of all countries, in particular those of developing countries;

5. *Also agrees* that the Legal Subcommittee, at its forty-ninth session, should reconvene its Working Group on the Status and Application of the Five United Nations Treaties on Outer Space, its Working Group on Matters Relating to the Definition and Delimitation of Outer Space and its Working Group on National Legislation Relevant to the Peaceful Exploration and Use of Outer Space;

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[3] See resolution 55/2.

[4] The term "disasters" refers to natural or technological disasters.

[5] See resolution 60/1, para. 60.

[6] *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 20* (A/64/20).

[7] Ibid., chap. II.D; and A/AC.105/935.

[8] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 20* (A/64/20), paras. 224, 226 and 227.

6. *Urges* States that have not yet become parties to the international treaties governing the uses of outer space[9] to give consideration to ratifying or acceding to those treaties in accordance with their domestic law, as well as incorporating them in their national legislation;

7. *Notes* that, at its forty-sixth session, the Scientific and Technical Subcommittee of the Committee on the Peaceful Uses of Outer Space continued its work,[10] as mandated by the General Assembly in its resolution 63/90;

8. *Agrees* that the Scientific and Technical Subcommittee, at its forty-seventh session, should consider the items recommended by the Committee,[11] taking into account the concerns of all countries, in particular those of developing countries;

9. *Also agrees* that the Scientific and Technical Subcommittee, at its forty-seventh session, should reconvene its Working Group of the Whole, its Working Group on the Use of Nuclear Power Sources in Outer Space and its Working Group on Near-Earth Objects;

10. *Welcomes* the fact that the Scientific and Technical Subcommittee, at its forty-seventh session, will begin consideration under a multi-year workplan of two new items, entitled "International Space Weather Initiative"[12] and "Long-term sustainability of outer space activities",[13] as agreed by the Committee;

11. *Welcomes with satisfaction* the Safety Framework for Nuclear Power Source Applications in Outer Space, adopted by the Scientific and Technical Subcommittee at its forty-sixth session and endorsed by the Committee at its fifty-second session;[14]

12. *Notes* that the International Atomic Energy Agency Commission on Safety Standards agreed on the Safety Framework at its twenty-fifth meeting, which was held in Vienna from 22 to 24 April 2009, and welcomes the constructive and efficient cooperation between the Scientific and Technical Subcommittee and the International Atomic Energy Agency in the preparation of the Safety Framework, which is an example of successful inter-agency cooperation within the United Nations system;

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[9] Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (United Nations, *Treaty Series*, vol. 610, No. 8843); Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (United Nations, *Treaty Series*, vol. 672, No. 9574); Convention on International Liability for Damage Caused by Space Objects (United Nations, *Treaty Series*, vol. 961, No. 13810); Convention on Registration of Objects Launched into Outer Space (United Nations, *Treaty Series*, vol. 1023, No. 15020); and Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (United Nations, *Treaty Series*, vol. 1363, No. 23002).

[10] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 20* (A/64/20), chap. II.C; and A/AC.105/933.

[11] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 20* (A/64/20), paras. 163 and 164.

[12] Ibid., paras. 155 and 164; and A/AC.105/933, annex I, para. 16.

[13] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 20* (A/64/20), paras. 161 and 164.

[14] Ibid., para. 138; and A/AC.105/934.

13. *Notes with appreciation* that some States are already implementing space debris mitigation measures on a voluntary basis, through national mechanisms and consistent with the Space Debris Mitigation Guidelines of the Inter-Agency Space Debris Coordination Committee and with the Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space,[15] endorsed by the General Assembly in its resolution 62/217;

14. *Invites* other States to implement, through relevant national mechanisms, the Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space;[15]

15. *Considers* that it is essential that Member States pay more attention to the problem of collisions of space objects, including those with nuclear power sources, with space debris, and other aspects of space debris, calls for the continuation of national research on this question, for the development of improved technology for the monitoring of space debris and for the compilation and dissemination of data on space debris, also considers that, to the extent possible, information thereon should be provided to the Scientific and Technical Subcommittee, and agrees that international cooperation is needed to expand appropriate and affordable strategies to minimize the impact of space debris on future space missions;

16. *Urges* all States, in particular those with major space capabilities, to contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international cooperation in the exploration and use of outer space for peaceful purposes;

17. *Notes with appreciation* that the activities planned by the United Nations Programme on Space Applications for 2010 would address, inter alia, water resources management, socio-economic benefits of space activities, small satellite technology for sustainable development, space weather, global navigation satellite systems, search and rescue and space law;[16]

18. *Welcomes* the progress made by the International Committee on Global Navigation Satellite Systems towards achieving compatibility and interoperability among global and regional space-based positioning, navigation and timing systems and in the promotion of the use of global navigation satellite systems and their integration into national infrastructure, particularly in developing countries, and notes with satisfaction that the International Committee held its third meeting in Pasadena, United States of America, from 8 to 12 December 2008 and its fourth meeting in Saint Petersburg, Russian Federation, from 14 to 18 September 2009, and that its fifth meeting will be jointly organized by Italy and the European Commission in 2010;

19. *Endorses* the recommendation of the Committee on the Peaceful Uses of Outer Space that the Office for Outer Space Affairs of the Secretariat should continue to serve as the executive secretariat of the International Committee on Global Navigation Satellite Systems and its Providers' Forum;[17]

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[15] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 20* (A/62/20), paras. 117 and 118, and annex.

[16] Ibid., *Sixty-fourth Session, Supplement No. 20* (A/64/20), para. 82.

[17] Ibid., para. 133.

20. *Notes with satisfaction* the progress made within the framework of the United Nations Platform for Space-based Information for Disaster Management and Emergency Response (UN-SPIDER) in the implementation of the platform programme for the period 2007-2009;

21. *Endorses* the workplan of the UN-SPIDER programme for the biennium 2010-2011,[18] and encourages Member States to provide all support necessary, on a voluntary basis, to UN-SPIDER, including financial support, to enable it to carry out the workplan;

22. *Welcomes* the fact that, in accordance with General Assembly resolution 61/110, regional support offices were established in the Islamic Republic of Iran, Nigeria and Romania, and that a cooperation agreement was reached with the Asian Disaster Reduction Centre, to support the implementation of the activities of the UN-SPIDER programme;[19]

23. *Notes with appreciation* that the African regional centres for space science and technology education in the French and English languages, located in Morocco and Nigeria, respectively, as well as the Centre for Space Science and Technology Education in Asia and the Pacific and the Regional Centre for Space Science and Technology Education for Latin America and the Caribbean, affiliated to the United Nations, have continued their education programmes in 2009;

24. *Welcomes* the fact that the regional centres would serve as International Committee on Global Navigation Satellite Systems information centres;[20]

25. *Agrees* that the regional centres should continue to report to the Committee on their activities on an annual basis;

26. *Emphasizes* that regional and interregional cooperation in the field of space activities is essential to strengthen the peaceful uses of outer space, assist States in the development of their space capabilities and contribute to the achievement of the goals of the United Nations Millennium Declaration,[3] and to that end fosters interregional dialogue on space matters between Member States;

27. *Recognizes*, in this regard, the important role played by conferences and other mechanisms in strengthening regional and international cooperation among States, such as the Third African Leadership Conference on Space Science and Technology for Sustainable Development, to be held in Algiers from 7 to 9 December 2009; the sixteenth session of the Asia-Pacific Regional Space Agency Forum, to be held in Bangkok from 26 to 29 January 2010 in cooperation with the Sentinel Asia project; the Asia-Pacific Space Cooperation Organization, with headquarters in Beijing, which started operating formally in December 2008; and the International Air and Space Fair, to be held in Santiago from 23 to 28 March 2010;

28. *Notes with appreciation* that since the adoption of the Declaration of San Francisco de Quito by the Fifth Space Conference of the Americas in July 2006, more States in the Latin America and Caribbean region have set up national space entities of a civilian nature, thus laying the foundation for enhanced regional

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[18] A/AC.105/937, annex.

[19] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 20* (A/64/20), para. 122.

[20] Ibid., para. 132.

cooperation in the peaceful uses of outer space, and recalls that in the Declaration, States in the Latin America and Caribbean region were invited to, inter alia, "set up national space entities to lay the foundation for a regional entity for cooperation";

29. *Welcomes*, in that regard, the fact that the Government of Mexico will host the Sixth Space Conference of the Americas from 22 to 27 November 2010 and that the preparatory meeting for the Conference will be held in Santiago in June 2010;

30. *Emphasizes* the need to increase the benefits of space technology and its applications and to contribute to an orderly growth of space activities favourable to sustained economic growth and sustainable development in all countries, including mitigation of the consequences of disasters, in particular in the developing countries;

31. *Notes* that space science and technology and their applications could make important contributions to economic, social and cultural development and welfare, as indicated in the resolution entitled "The Space Millennium: Vienna Declaration on Space and Human Development",[2] its resolution 59/2 and the Plan of Action of the Committee on the Peaceful Uses of Outer Space on the implementation of the recommendations of UNISPACE III;[21]

32. *Notes with appreciation* that a number of the recommendations set out in the Plan of Action have been implemented and that satisfactory progress is being made in implementing the outstanding recommendations;

33. *Urges* all Member States to continue to contribute to the Trust Fund for the United Nations Programme on Space Applications to enhance the capacity of the Office for Outer Space Affairs to provide technical and legal advisory services in accordance with the Plan of Action, while maintaining the priority thematic areas agreed by the Committee;

34. *Reiterates* that the benefits of space technology and its applications should continue to be brought to the attention, in particular, of the major United Nations conferences and summits for economic, social and cultural development and related fields and that the use of space technology should be promoted towards achieving the objectives of those conferences and summits and for implementing the United Nations Millennium Declaration;

35. *Notes with appreciation* that the initiative of the Chairman of the Committee on the Peaceful Uses of Outer Space to seek a holistic approach for enhancing coordination between Member States and the United Nations system in applying space science and technology to meet the challenges to development of all countries and to further promote and strengthen the use of space technology and its applications in the United Nations system would be further developed for the consideration of the Committee at its fifty-third session;[22]

36. *Welcomes* the increased efforts to strengthen further the Inter-Agency Meeting on Outer Space Activities as the central United Nations mechanism for building partnerships and coordinating space-related activities within the framework of the ongoing reforms in the United Nations system to work in unison and deliver

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[21] See A/59/174, sect. VI.B.

[22] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 20* (A/64/20), paras. 15 and 290.

as one, and encourages entities of the United Nations system to participate fully in the work of the Inter-Agency Meeting;

37. *Urges* entities of the United Nations system, particularly those participating in the Inter-Agency Meeting on Outer Space Activities, to continue to examine, in cooperation with the Committee, how space science and technology and their applications could contribute to implementing the United Nations Millennium Declaration on the development agenda, particularly in the areas relating to, inter alia, food security and increasing opportunities for education;

38. *Invites* the Inter-Agency Meeting on Outer Space Activities to continue to contribute to the work of the Committee and to report to the Committee on the work conducted at its annual sessions;

39. *Notes with satisfaction* that the open informal meetings, held in conjunction with the annual sessions of the Inter-Agency Meeting on Outer Space Activities and in which representatives of member States and observers in the Committee participate, provide a constructive mechanism for an active dialogue between the entities of the United Nations system and member States and observers in the Committee;

40. *Welcomes* the contribution of the Committee to the work of the Commission on Sustainable Development,[23] and agrees that the Director of the Office for Outer Space Affairs of the Secretariat should continue to participate in the sessions of the Commission to raise awareness and promote the benefits of space science and technology for sustainable development, and that the Director of the Division for Sustainable Development of the Department of Economic and Social Affairs of the Secretariat should continue to be invited to participate in the sessions of the Committee to inform it how it could further contribute to the work of the Commission;

41. *Requests* the United Nations University and other scientific institutions and the Economic Commission for Latin America and the Caribbean to explore the possibilities of providing training and policy research at the crossroads of international law, climate change and outer space;

42. *Requests* the Committee to continue to consider, as a matter of priority, ways and means of maintaining outer space for peaceful purposes and to report thereon to the General Assembly at its sixty-fifth session, and agrees that during its consideration of the matter the Committee could continue to consider ways to promote regional and interregional cooperation based on experiences stemming from the Space Conferences of the Americas, the African Leadership Conferences on Space Science and Technology for Sustainable Development and the role space technology could play in the implementation of recommendations of the World Summit on Sustainable Development;

43. *Endorses* the composition of the bureaux of the Committee and its subcommittees for the period 2010-2011,[24] and agrees that the Committee and its subcommittees should elect their officers at their respective sessions in 2010 in accordance with that composition;

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[23] See A/AC.105/872, A/AC.105/892 and A/AC.105/944.

[24] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 20* (A/64/20), para. 309.

44. *Also endorses* the decision of the Committee to grant permanent observer status to the Asia-Pacific Space Cooperation Organization;[25]

45. *Notes* that each of the regional groups has the responsibility for actively promoting the participation in the work of the Committee and its subsidiary bodies of the member States of the Committee that are also members of the respective regional groups, and agrees that the regional groups should consider this Committee-related matter among their members;

46. *Requests* entities of the United Nations system and other international organizations to continue and, where appropriate, to enhance their cooperation with the Committee and to provide it with reports on the issues dealt with in the work of the Committee and its subsidiary bodies, notes with satisfaction that a panel discussion on space applications and global health was held at United Nations Headquarters on 20 October 2009, and agrees that a panel discussion should be held at the sixty-fifth session of the General Assembly on a topic to be selected by the Committee, taking into account the panel discussions held on climate change, food security and global health.

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[25] Ibid., para. 311.

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United Nations Relief and Works Agency for Palestine Refugees in the Near East

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Khalid Mohammed Osman **Ali** (Sudan)

I. Introduction

1. At its 2nd plenary meeting, on 18 September 2009, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-fourth session the item entitled "United Nations Relief and Works Agency for Palestine Refugees in the Near East" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee considered the item at its 21st, 22nd, 23rd and 25th meetings, on 2, 3, 9 and 19 November 2009. The Committee held a general debate on the item at its 21st, 22nd and 23rd meetings, and took action on the item at its 25th meeting (see A/C.4/64/SR.21, 22, 23 and 25).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;[1]

(b) Report of the Secretary-General on persons displaced as a result of the June 1967 and subsequent hostilities (A/64/323);

(c) Report of the Secretary-General on Palestine refugees' properties and their revenues (A/64/324);

(d) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/64/519);

[1] *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 13* (A/64/13); and ibid., *Supplement No. 13A* (A/64/13/Add.1).

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(e) Report of an extraordinary meeting of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/64/115);

(f) Note by the Secretary-General transmitting the sixty-third report of the United Nations Conciliation Commission for Palestine (A/64/174);

(g) Letter dated 1 October 2009 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/C.4/64/7).

4. At its 21st meeting, on 2 November, the Committee heard a statement by the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), who introduced her report (see A/C.4/64/SR.21).

5. At the same meeting, the representative of Norway, in his capacity as Rapporteur of the Working Group on the Financing of UNRWA, made a statement (see A/C.4/64/SR.21).

6. Also at the same meeting, the representative of the Permanent Observer Mission of Palestine to the United Nations made a statement (see A/C.4/64/SR.21).

II. Consideration of proposals

A. Draft resolution A/C.4/64/L.11

7. At the 25th meeting, on 19 November, the representative of Indonesia, on behalf of Algeria, Bahrain, Bangladesh, the Comoros, Cuba, the Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, the Sudan, Tunisia, the United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine, introduced a draft resolution entitled "Assistance to Palestine refugees" (A/C.4/64/L.11). Subsequently, Albania, Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia and the United Kingdom of Great Britain and Northern Ireland joined in sponsoring the draft resolution.

8. At the same meeting, the Committee adopted draft resolution A/C.4/64/L.11 by a recorded vote of 169 to 1, with 7 abstentions (see para. 16, draft resolution I). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic,

Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel.

Abstaining:

Cameroon, Fiji, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America.

B. Draft resolution A/C.4/64/L.12

9. At the 25th meeting, on 19 November, the representative of Indonesia, on behalf of Algeria, Bahrain, Bangladesh, Brunei Darussalam, the Comoros, Cuba, the Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, the Sudan, Tunisia, the United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine, introduced a draft resolution entitled "Persons displaced as a result of the June 1967 and subsequent hostilities" (A/C.4/64/L.12).

10. At the same meeting, the Committee adopted draft resolution A/C.4/64/L.12 by a recorded vote of 167 to 7, with 3 abstentions (see para. 16, draft resolution II). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador,

Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, Panama, United States of America.

Abstaining:

Cameroon, Canada, Fiji.

C. Draft resolution A/C.4/64/L.13

11. At the 25th meeting, on 19 November, the representative of Indonesia, on behalf of Algeria, Bahrain, Bangladesh, Brunei Darussalam, the Comoros, Cuba, the Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, the Sudan, Tunisia, the United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine, introduced a draft resolution entitled "Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East" (A/C.4/64/L.13).

12. At the same meeting, the Secretary made a statement regarding the programme budget implications of draft resolution A/C.4/64/L.13.

13. Also at its 25th meeting, the Committee adopted draft resolution A/C.4/64/L.13 by a recorded vote of 167 to 6, with 3 abstentions (see para. 16, draft resolution III). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile,

China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining:

Cameroon, Canada, Fiji.

D. Draft resolution A/C.4/64/L.14

14. At the 25th meeting, on 19 November, the representative of Indonesia, on behalf of Algeria, Bahrain, Bangladesh, Brunei Darussalam, the Comoros, Cuba, the Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, the Sudan, Tunisia, the United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine, introduced a draft resolution entitled "Palestine refugees' properties and their revenues" (A/C.4/64/L.14). Subsequently, Albania, Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia and the United Kingdom of Great Britain and Northern Ireland joined in sponsoring the draft resolution.

15. At the same meeting, the Committee adopted draft resolution A/C.4/64/L.14 by a recorded vote of 169 to 6, with 2 abstentions (see para. 16, draft resolution IV). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America.

Abstaining:

Cameroon, Fiji.

III. Recommendations of the Special Political and Decolonization Committee (Fourth Committee)

16. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 194 (III) of 11 December 1948 and all its subsequent resolutions on the question, including resolution 63/91 of 5 December 2008,

Recalling also its resolution 302 (IV) of 8 December 1949, by which, inter alia, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Recalling further the relevant resolutions of the Security Council,

Aware of the fact that, for more than six decades, the Palestine refugees have suffered from the loss of their homes, lands and means of livelihood,

Affirming the imperative of resolving the problem of the Palestine refugees for the achievement of justice and for the achievement of lasting peace in the region,

Acknowledging the essential role that the United Nations Relief and Works Agency for Palestine Refugees in the Near East has played for sixty years since its establishment in ameliorating the plight of the Palestine refugees through the provision of education, health, relief and social services and ongoing work in the areas of camp infrastructure, microfinance, protection and emergency assistance,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2008,[1]

Aware of the continuing needs of the Palestine refugees throughout all the fields of operation, namely, Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,

Expressing grave concern at the especially difficult situation of the Palestine refugees under occupation, including with regard to their safety, well-being and socio-economic living conditions,

Expressing grave concern in particular at the critical humanitarian situation and socio-economic conditions of the Palestine refugees in the Gaza Strip, and underlining the importance of emergency and humanitarian assistance and urgent reconstruction efforts,

Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements[2] on 13 September 1993 by the Government of Israel and

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[1] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 13* (A/64/13); and ibid., *Supplement No. 13A* (A/64/13/Add.1).

[2] A/48/486-S/26560, annex.

the Palestine Liberation Organization and the subsequent implementation agreements,

1. *Notes with regret* that repatriation or compensation of the refugees, as provided for in paragraph 11 of General Assembly resolution 194 (III), has not yet been effected, and that, therefore, the situation of the Palestine refugees continues to be a matter of grave concern and the Palestine refugees continue to require assistance to meet basic health, education and living needs;

2. *Also notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), and reiterates its request to the Conciliation Commission to continue exerting efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 2010;

3. *Affirms* the necessity for the continuation of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the importance of its unimpeded operation and its provision of services for the well-being and human development of the Palestine refugees and for the stability of the region, pending the just resolution of the question of the Palestine refugees;

4. *Calls upon* all donors to continue to make the most generous efforts possible to meet the anticipated needs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, including with regard to increased expenditures arising from the continuing deterioration of the socio-economic and humanitarian situation in the region, particularly in the Occupied Palestinian Territory, and those mentioned in recent emergency appeals;

5. *Commends* the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its provision of vital assistance to the Palestine refugees and its role as a stabilizing factor in the region and the tireless efforts of the staff of the Agency in carrying out its mandate, and welcomes in this regard the high-level event of the General Assembly commemorating the sixtieth anniversary of the establishment of the Agency, on 24 September 2009.

Draft resolution II
Persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolutions 2252 (ES-V) of 4 July 1967, 2341 B (XXII) of 19 December 1967 and all subsequent related resolutions,

Recalling also Security Council resolutions 237 (1967) of 14 June 1967 and 259 (1968) of 27 September 1968,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 63/92 of 5 December 2008,[1]

Taking note also of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2008,[2]

Concerned about the continuing human suffering resulting from the June 1967 and subsequent hostilities,

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[3] with regard to the modalities for the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

1. *Reaffirms* the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;

2. *Expresses deep concern* that the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[3] on the return of displaced persons has not been complied with, and stresses the necessity for an accelerated return of displaced persons;

3. *Endorses*, in the meanwhile, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are currently displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

4. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned, for the above-mentioned purposes;

5. *Requests* the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its sixty-fifth session on the progress made with regard to the implementation of the present resolution.

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[1] A/64/323.

[2] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 13* (A/64/13); and ibid., *Supplement No. 13A* (A/64/13/Add.1).

[3] A/48/486-S/26560, annex.

Draft resolution III
Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions, including its resolution 63/93 of 5 December 2008,

Recalling also the relevant resolutions of the Security Council,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2008,[1]

Taking note of the letter dated 10 June 2009 from the Chairman of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General,[2]

Deeply concerned about the critical financial situation of the Agency, as well as its rising expenditures resulting from the deterioration of the socio-economic and humanitarian conditions in the region and their significant negative impact on the provision of necessary Agency services to the Palestine refugees, including its emergency-related and development programmes,

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,[3]

Recalling also the Convention on the Safety of United Nations and Associated Personnel,[4]

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[5] to the Palestinian territory occupied since 1967, including East Jerusalem,

Aware of the continuing needs of the Palestine refugees throughout the Occupied Palestinian Territory and in the other fields of operation, namely, Jordan, Lebanon and the Syrian Arab Republic,

Gravely concerned about the extremely difficult living conditions being faced by the Palestine refugees in the Occupied Palestinian Territory, including East Jerusalem, particularly in the refugee camps in the Gaza Strip, as a result of the continuing prolonged Israeli closures and severe economic and movement restrictions that in effect amount to a blockade and the military operations in the Gaza Strip between December 2008 and January 2009, which caused extensive loss of life and injury, particularly among Palestinian civilians, including children and women; widespread damage and destruction to Palestinian homes, properties, vital

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[1] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 13* (A/64/13); and ibid., *Supplement No. 13A* (A/64/13/Add.1).

[2] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 13* (A/64/13), pp. vi and vii.

[3] Resolution 22 A (I).

[4] United Nations, *Treaty Series*, vol. 2051, No. 35457.

[5] Ibid., vol. 75, No. 973.

infrastructure and public institutions, including hospitals, schools and United Nations facilities; and internal displacement of civilians,

Commending the extraordinary efforts by the Agency to provide emergency relief, medical, food, shelter and other humanitarian assistance to needy and displaced families in the Gaza Strip,

Recalling, in this regard, its resolution ES-10/18 of 16 January 2009 and Security Council resolution 1860 (2009) of 8 January 2009,

Expressing regret over the continued suspension of the Agency's efforts to repair and rebuild thousands of damaged or destroyed refugee shelters due to the continued prohibition of the import of essential construction materials into the Gaza Strip by Israel,

Stressing the urgent need for reconstruction to begin in the Gaza Strip, including through the completion of numerous suspended projects managed by the Agency, according to the proposal of the Secretary-General, and the commencement of United Nations-led civilian reconstruction activities,

Welcoming, in this regard, the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza, held in Sharm el-Sheikh, Egypt, on 2 March 2009, and urging the disbursement of pledges to accelerate the reconstruction process,

Taking note of the Agency's continuing efforts to assist those refugees affected and displaced by the crisis in the Nahr el-Bared refugee camp in northern Lebanon, and welcoming the efforts of the Government of Lebanon and the international community to support the rebuilding by the Agency of the Nahr el-Bared camp,

Aware of the valuable work done by the Agency in providing protection to the Palestinian people, in particular Palestine refugees,

Gravely concerned about the endangerment of the safety of the Agency's staff and about the damage and destruction caused to the facilities of the Agency, in particular as a result of the military operations in the Gaza Strip during the reporting period,

Deploring the extensive damage and destruction of Agency facilities in the Gaza Strip caused during the military operations between December 2008 and January 2009, including to schools where civilians were sheltered and the Agency's main compound and warehouse, as reported in the summary by the Secretary-General of the report of the Board of Inquiry[6] and in the report of the United Nations Fact-finding Mission on the Gaza Conflict,[7]

Deploring also, in this regard, the breaches of the inviolability of United Nations premises, the failure to accord the property and assets of the Organization immunity from any form of interference and the failure to protect United Nations personnel, premises and property,

Deploring further the killing and injury of Agency staff members by the Israeli occupying forces in the Occupied Palestinian Territory since September 2000,

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[6] See A/63/855-S/2009/250.

[7] A/HRC/12/48.

Deploring the killing and wounding of refugee children in the Agency schools by the Israeli occupying forces,

Expressing deep concern about the gravely negative impact of the continuing prolonged closures and severe restrictions on the movement of persons and goods, which in effect amount to a blockade in the Gaza Strip, and the construction of the wall, contrary to international law, in the Occupied Palestinian Territory, including in and around East Jerusalem, on the socio-economic situation of the Palestine refugees,

Deeply concerned about the continuing imposition of restrictions on the freedom of movement and access of the Agency's staff, vehicles and goods, and the injury, harassment and intimidation of the Agency's staff, which undermine and obstruct the work of the Agency, including its ability to provide essential basic and emergency services,

Aware of the agreement between the Agency and the Government of Israel,

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,[8]

1. *Reaffirms* that the effective functioning of the United Nations Relief and Works Agency for Palestine Refugees in the Near East remains essential in all fields of operation;

2. *Expresses its appreciation* to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all of the staff of the Agency, for their tireless efforts and valuable work, particularly in the light of the difficult conditions and dangerous circumstances faced during the past year, and, on the occasion of her impending retirement, expresses its appreciation to Commissioner-General Karen Koning AbuZayd for her nine years of dedicated service to the Palestine refugees;

3. *Expresses special commendation* to the Agency on the occasion of the sixtieth anniversary of its establishment;

4. *Expresses its appreciation* to the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and requests it to continue its efforts and to keep the General Assembly informed of its activities;

5. *Takes note with appreciation* of the two reports of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East[9] and the efforts of the Working Group to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;

6. *Commends* the Agency's six-year Medium-Term Strategy, commencing in January 2010, and the continuing efforts of the Commissioner-General to increase the budgetary transparency and efficiency of the Agency, as reflected in the

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[8] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13* (A/49/13), annex I.

[9] A/64/115 and A/64/519.

Agency's programme budget for the biennium 2010-2011[10] and its comprehensive, three-year organizational development plan;

7. *Requests* the Secretary-General to support the institutional strengthening of the Agency through the provision of sufficient financial resources from the regular budget of the United Nations;

8. *Endorses* the conclusions in the report of the extraordinary meeting of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,[11] in particular its request that the Secretary-General provide a report on the strengthening of the management capacity of the Agency to the relevant bodies of the General Assembly at the earliest possible date;

9. *Also endorses* the efforts of the Commissioner-General to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are internally displaced and in serious need of continued assistance as a result of recent crises in the Occupied Palestinian Territory and Lebanon;

10. *Welcomes* the pledges made at the International Donor Conference for the Recovery and Reconstruction of the Nahr el-Bared Palestine Refugee Camp and Conflict-affected Areas of Northern Lebanon, held in Vienna on 23 June 2008, and urges all parties to expedite the reconstruction of the camp to alleviate the ongoing suffering of the displaced persons;

11. *Acknowledges* the important support provided by the host Governments to the Agency in the discharge of its duties;

12. *Encourages* the Agency, in close cooperation with other relevant United Nations entities, to continue making progress in addressing the needs and rights of children and women in its operations in accordance with the Convention on the Rights of the Child[12] and the Convention on the Elimination of All Forms of Discrimination against Women,[13] respectively;

13. *Expresses concern* about the relocation of the international staff of the Agency from its headquarters in Gaza City and the disruption of operations at the headquarters due to the deterioration and instability of the situation on the ground;

14. *Calls upon* Israel, the occupying Power, to comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;[5]

15. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations[3] in order to ensure the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of its facilities in the Occupied Palestinian Territory, including East Jerusalem;

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[10] *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 13A* (A/64/13/Add.1).

[11] A/64/115.

[12] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[13] Ibid., vol. 1249, No. 20378.

16. *Urges* the Government of Israel to speedily compensate the Agency for damage and destruction to its property and facilities resulting from actions by the Israeli side, including as a result of the military operations in the Gaza Strip between December 2008 and January 2009, and to expeditiously reimburse the Agency for all transit charges incurred and other financial losses sustained as a result of delays and restrictions on movement and access imposed by Israel;

17. *Calls upon* Israel particularly to cease obstructing the movement and access of the staff, vehicles and supplies of the Agency and to cease the levying of extra fees and charges, which affect the Agency's operations detrimentally;

18. *Also calls upon* Israel to cease its obstruction of the import of necessary construction materials and supplies for the reconstruction and repair of damaged or destroyed Agency facilities and for the implementation of suspended civilian infrastructure projects in refugee camps in the Gaza Strip;

19. *Requests* the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the Occupied Palestinian Territory;

20. *Notes with appreciation* the progress made by the Agency in the modernization of its archives through the Palestine Refugee Records Project, and encourages the Commissioner-General to finalize the project as rapidly as possible and to report on the progress made to the General Assembly at its sixty-fifth session;

21. *Notes* the success of the Agency's microfinance and microenterprise programmes, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute to the development of the economic and social stability of the Palestine refugees in all fields of operation;

22. *Reiterates its appeals* to all States, specialized agencies and non-governmental organizations to continue and to augment the special allocations for grants and scholarships for higher education to Palestine refugees in addition to their contributions to the regular budget of the Agency and to contribute to the establishment of vocational training centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;

23. *Urges* all States, specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency so as to ease the ongoing financial constraints, especially with respect to the Agency's regular budget deficit, noting that financial shortfalls have been exacerbated by the current humanitarian situation on the ground that has resulted in rising expenditures, in particular with regard to emergency services, and to support the Agency's valuable and necessary work in assisting the Palestine refugees in all fields of operation.

Draft resolution IV
Palestine refugees' properties and their revenues

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948 and 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General submitted pursuant to its resolution 63/94 of 5 December 2008,[1] as well as that of the United Nations Conciliation Commission for Palestine for the period from 1 September 2008 to 31 August 2009,[2]

Recalling that the Universal Declaration of Human Rights[3] and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the Conciliation Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine refugees,

Noting the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report,[4] and the fact that the Land Office had a schedule of Arab owners and a file of documents defining the location, area and other particulars of Arab property,

Expressing its appreciation for the preservation and modernization of the existing records, including the land records, of the Conciliation Commission and the importance of such records for a just resolution of the plight of the Palestine refugees in conformity with resolution 194 (III),

Recalling that, in the framework of the Middle East peace process, the Palestine Liberation Organization and the Government of Israel agreed, in the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993,[5] to commence negotiations on permanent status issues, including the important issue of the refugees,

1. *Reaffirms* that the Palestine refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of equity and justice;

2. *Requests* the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel;

3. *Calls once again upon* Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

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[1] A/64/324.

[2] See A/64/174.

[3] Resolution 217 A (III).

[4] *Official Records of the General Assembly, Nineteenth Session, Annexes*, Annex No. 11, document A/5700.

[5] A/48/486-S/26560, annex.

4. *Calls upon* all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that would assist him in the implementation of the present resolution;

5. *Urges* the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestine refugees' properties and their revenues within the framework of the final status negotiations of the Middle East peace process;

6. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution.

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Agenda item 32

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Khalid Mohammed Osman **Ali** (Sudan)

I. Introduction

1. At its 2nd plenary meeting, on 18 September 2009, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-fourth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee held a general debate on the item at its 23rd and 24th meetings, on 9 and 10 November 2009, and took action on the item at its 25th meeting, on 19 November (see A/C.4/64/SR.23, 24 and 25).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories (A/64/332);

(b) Report of the Secretary-General on the work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/64/340);

(c) Report of the Secretary-General on the occupied Syrian Golan (A/64/354);

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(d) Report of the Secretary-General on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan (A/64/516);

(e) Report of the Secretary-General on Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem (A/64/517);

(f) Note by the Secretary-General transmitting the forty-first report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/64/339).

4. At the 23rd meeting, on 9 November, the Permanent Representative of Sri Lanka, in his capacity as Chairperson of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, introduced the report of that Committee (see A/C.4/64/SR.23).

5. At the same meeting, the representative of the Permanent Observer Mission of Palestine to the United Nations made a statement (see A/C.4/64/SR.23).

II. Consideration of proposals

A. Draft resolution A/C.4/64/L.15

6. At the 25th meeting, on 19 November, the representative of Cuba, on behalf of Algeria, Bahrain, Bangladesh, Brunei Darussalam, the Comoros, Cuba, the Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, the Sudan, Tunisia, the United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine, introduced a draft resolution entitled "Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories" (A/C.4/64/L.15).

7. At the same meeting, the Committee adopted draft resolution A/C.4/64/L.15 by a recorded vote of 92 to 9, with 72 abstentions (see para. 16, draft resolution I). The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Armenia, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Brazil, Brunei Darussalam, Cambodia, Chile, China, Comoros, Congo, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Morocco, Mozambique, Myanmar, Namibia, Nicaragua, Niger, Nigeria, Oman, Pakistan, Qatar, Republic of Korea, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan,

Suriname, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Australia, Canada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, Panama, United States of America.

Abstaining:

Albania, Andorra, Argentina, Austria, Bahamas, Belgium, Bosnia and Herzegovina, Botswana, Bulgaria, Burundi, Cameroon, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Mongolia, Montenegro, Netherlands, New Zealand, Norway, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay.

B. Draft resolution A/C.4/64/L.16

8. At the 25th meeting, on 19 November, the representative of Cuba, on behalf of Algeria, Bahrain, Bangladesh, Brunei Darussalam, the Comoros, Cuba, the Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, the Sudan, Tunisia, the United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine, introduced a draft resolution entitled "Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories" (A/C.4/64/L.16).

9. At the same meeting, the Committee adopted draft resolution A/C.4/64/L.16 by a recorded vote of 166 to 6, with 3 abstentions (see para. 16, draft resolution II). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy,

Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America.

Abstaining:

Cameroon, Côte d'Ivoire, Fiji.

C. Draft resolution A/C.4/64/L.17

10. At the 25th meeting, on 19 November, the representative of Cuba, on behalf of Algeria, Bahrain, Bangladesh, Brunei Darussalam, the Comoros, Cuba, the Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, the Sudan, Tunisia, the United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine, introduced a draft resolution entitled "Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan" (A/C.4/64/L.17).

11. At the same meeting, the Committee adopted draft resolution A/C.4/64/L.17 by a recorded vote of 166 to 7, with 2 abstentions (see para. 16, draft resolution III). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's

Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, Panama, United States of America.

Abstaining:

Cameroon, Côte d'Ivoire.

D. Draft resolution A/C.4/64/L.18

12. At the 25th meeting, on 19 November, the representative of Cuba, on behalf of Algeria, Bahrain, Bangladesh, Brunei Darussalam, the Comoros, Cuba, the Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mali, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, the Sudan, Tunisia, the United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine, introduced a draft resolution entitled "Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem" (A/C.4/64/L.18). Subsequently, Mauritania joined in sponsoring the draft resolution.

13. At the same meeting, the Committee adopted draft resolution A/C.4/64/L.18 by a recorded vote of 160 to 9, with 5 abstentions (see para. 16, draft resolution IV). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic,

Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Australia, Canada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, Panama, United States of America.

Abstaining:

Cameroon, Côte d'Ivoire, Fiji, Liberia, Republic of Korea.

E. Draft resolution A/C.4/64/L.19

14. At the 25th meeting, on 19 November, the representative of Cuba, on behalf of Algeria, Bahrain, Bangladesh, Brunei Darussalam, the Comoros, Cuba, the Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Jordan, Kuwait, Lebanon, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine, introduced a draft resolution entitled "The occupied Syrian Golan" (A/C.4/64/L.19).

15. At the same meeting, the Committee adopted draft resolution A/C.4/64/L.19 by a recorded vote of 165 to 1, with 10 abstentions (see para. 16, draft resolution V). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia,

Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel.

Abstaining:

Cameroon, Côte d'Ivoire, Fiji, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, Panama, Tonga, United States of America.

III. Recommendations of the Special Political and Decolonization Committee (Fourth Committee)

16. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,[1] as well as international standards of human rights, in particular the Universal Declaration of Human Rights[2] and the International Covenants on Human Rights,[3]

Recalling its relevant resolutions, including resolutions 2443 (XXIII) of 19 December 1968 and 63/95 of 5 December 2008, and the relevant resolutions of the Commission on Human Rights and the Human Rights Council, including the resolution adopted by the Council at its twelfth special session on 16 October 2009,[4]

Recalling also the relevant resolutions of the Security Council,

Taking into account the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[5] and recalling in this regard General Assembly resolution ES-10/15 of 20 July 2004,

Convinced that occupation itself represents a gross and grave violation of human rights,

Gravely concerned about the continuing detrimental impact of the events that have taken place since 28 September 2000, including the excessive use of force by the Israeli occupying forces against Palestinian civilians, resulting in thousands of deaths and injuries, the widespread destruction of property and vital infrastructure, the internal displacement of civilians, the imposition of collective punishment measures, particularly against the civilian population in the Gaza Strip, and the detention and imprisonment of thousands of Palestinians,

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[1] United Nations, *Treaty Series*, vol. 75, No. 973.

[2] Resolution 217 A (III).

[3] See resolution 2200 A (XXI), annex.

[4] Resolution S-12/1; see *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 53A* (A/64/53/Add.1).

[5] See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

Gravely concerned in particular by reports regarding serious human rights violations and grave breaches of international humanitarian law committed during the military operations in the Gaza Strip between December 2008 and January 2009, including the findings in the summary by the Secretary-General of the report of the Board of Inquiry[6] and in the report of the United Nations Fact-Finding Mission on the Gaza Conflict,[7] and stressing the necessity for serious follow-up by all parties to the recommendations addressed to them towards ensuring accountability and justice,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[8] and the relevant reports of the Secretary-General,[9]

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[10] and the subsequent implementation agreements between the Palestinian and Israeli sides,

Stressing the urgency of bringing a complete end to the Israeli occupation that began in 1967 and thus an end to the violation of the human rights of the Palestinian people, and recalling in this regard its resolution 58/292 of 6 May 2004,

1. *Commends* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. *Reiterates its demand* that Israel, the occupying Power, cooperate, in accordance with its obligations as a State Member of the United Nations, with the Special Committee in implementing its mandate;

3. *Deplores* those policies and practices of Israel that violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the report of the Special Committee covering the reporting period;[8]

4. *Expresses grave concern* about the critical situation in the Occupied Palestinian Territory, including East Jerusalem, particularly in the Gaza Strip, as a result of unlawful Israeli practices and measures, and especially condemns and calls for the immediate cessation of all illegal Israeli settlement activities and the construction of the wall, as well as the excessive and indiscriminate use of force against the civilian population, the destruction and confiscation of properties, measures of collective punishment, and the detention and imprisonment of thousands of civilians;

5. *Requests* the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,[1] and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and

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[6] See A/63/855-S/2009/250.

[7] A/HRC/12/48.

[8] See A/64/339.

[9] A/64/332, A/64/340, A/64/354, A/64/355, A/64/356 and A/64/517.

[10] A/48/486-S/26560, annex.

human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

6. *Also requests* the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the Occupied Palestinian Territory, including East Jerusalem;

7. *Further requests* the Special Committee to continue to investigate the treatment of the thousands of prisoners and detainees in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

8. *Requests* the Secretary-General:

(a) To provide the Special Committee with all necessary facilities, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

(b) To continue to make available such staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

(d) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

(e) To report to the General Assembly at its sixty-fifth session on the tasks entrusted to him in the present resolution;

9. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

Draft resolution II
Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories

The General Assembly,

Recalling its relevant resolutions, including its resolution 63/96 of 5 December 2008,

Bearing in mind the relevant resolutions of the Security Council,

Recalling the Regulations annexed to The Hague Convention IV of 1907,[1] the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] and relevant provisions of customary law, including those codified in Additional Protocol I[3] to the four Geneva Conventions,[4]

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[5] and the relevant reports of the Secretary-General,[6]

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice,[7] and also recalling General Assembly resolution ES-10/15 of 20 July 2004,

Noting in particular the Court's reply, including that the Fourth Geneva Conventions[2] pplicable in the Occupied Palestinian Territory, including East Jerusalem, and that Israel is in breach of several of the provisions of the Convention,

Recalling the Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, held on 15 July 1999, as well as the Declaration adopted by the reconvened Conference on 5 December 2001 and the need for the parties to follow up the implementation of the Declaration,

Welcoming and encouraging the initiatives by States parties to the Convention, both individually and collectively, according to article 1 common to the four Geneva Conventions, aimed at ensuring respect for the Convention, as well as the efforts of the depositary State of the Geneva Conventions in this regard,

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[1] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

[2] United Nations, *Treaty Series*, vol. 75, No. 973.

[3] Ibid., vol. 1125, No. 17512.

[4] Ibid., vol. 75, Nos. 970-973.

[5] See A/64/339.

[6] A/64/332, A/64/340, A/64/354, A/64/516 and A/64/517.

[7] See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

Stressing that Israel, the occupying Power, should comply strictly with its obligations under international law, including international humanitarian law,

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] s applicable to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

2. *Demands* that Israel accept the de jure applicability of the Convention in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. *Calls upon* all High Contracting Parties to the Convention, in accordance with article 1 common to the four Geneva Conventions[4] nd as mentioned in the advisory opinion of the International Court of Justice of 9 July 2004,[7] to continue to exert all efforts to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

4. *Reiterates* the need for speedy implementation of the relevant recommendations contained in the resolutions adopted by the General Assembly at its tenth emergency special session, including resolution ES-10/15, with regard to ensuring respect by Israel, the occupying Power, for the provisions of the Convention;

5. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution.

Draft resolution III
Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan

The General Assembly,

Guided by the principles of the Charter of the United Nations, and affirming the inadmissibility of the acquisition of territory by force,

Recalling its relevant resolutions, including resolution 63/97 of 5 December 2008, as well as those resolutions adopted at its tenth emergency special session,

Recalling also the relevant resolutions of the Security Council, including resolutions 242 (1967) of 22 November 1967, 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 497 (1981) of 17 December 1981 and 904 (1994) of 18 March 1994,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan,

Considering that the transfer by the occupying Power of parts of its own civilian population into the territory it occupies constitutes a breach of the Fourth Geneva Convention[1] and relevant provisions of customary law, including those codified in Additional Protocol I[2] to the four Geneva Conventions,[3]

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[4] and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting that the International Court of Justice concluded that "the Israeli settlements in the Occupied Palestinian Territory (including East Jerusalem) have been established in breach of international law",[5]

Taking note of the recent report of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied by Israel since 1967,[6]

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[7] and the subsequent implementation agreements between the Palestinian and Israeli sides,

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[1] United Nations, *Treaty Series*, vol. 75, No. 973.

[2] Ibid., vol. 1125, No. 17512.

[3] Ibid., vol. 75, Nos. 970-973.

[4] See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

[5] See A/ES-10/273 and Corr. 1, advisory opinion, para. 120; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

[6] See A/64/328.

[7] A/48/486-S/26560, annex.

Recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[8] and noting specifically its call for a freeze on all settlement activity, including so-called "natural growth", and the dismantlement of all settlement outposts erected since March 2001,

Aware that Israeli settlement activities involve, inter alia, the transfer of nationals of the occupying Power into the occupied territories, the confiscation of land, the exploitation of natural resources and other actions against the Palestinian civilian population that are contrary to international law,

Bearing in mind the detrimental impact of Israeli settlement policies, decisions and activities on efforts to resume the peace process and to achieve peace in the Middle East,

Expressing grave concern about the continuation by Israel, the occupying Power, of settlement activities in the Occupied Palestinian Territory, in violation of international humanitarian law, relevant United Nations resolutions and the agreements reached between the parties, and concerned particularly about Israel's construction and expansion of settlements in and around occupied East Jerusalem, including its so-called E-1 plan that aims to connect its illegal settlements around and further isolate occupied East Jerusalem, the continuing demolition of Palestinian homes and eviction of Palestinian families from the city, and intensifying settlement activities in the Jordan Valley,

Expressing grave concern also about the continuing unlawful construction by Israel of the wall inside the Occupied Palestinian Territory, including in and around East Jerusalem, and expressing its concern in particular about the route of the wall in departure from the Armistice Line of 1949, which is causing humanitarian hardship and a serious decline of socio-economic conditions for the Palestinian people, is fragmenting the territorial contiguity of the Territory, and could prejudge future negotiations and make the two-State solution physically impossible to implement,

Deeply concerned that the wall's route has been traced in such a way as to include the great majority of the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem,

Deploring settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan and any activities involving the confiscation of land, the disruption of the livelihood of protected persons and the de facto annexation of land,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Gravely concerned about the rising incidents of violence, harassment, provocation and incitement by illegal armed Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, against Palestinian civilians and their properties and agricultural lands,

Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of the settlements therein as a step towards the implementation of the road map,

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[8] S/2003/529, annex.

Taking note of the relevant reports of the Secretary-General,[9]

Taking note also of the special meeting of the Security Council convened on 26 September 2008,

1. *Reaffirms* that the Israeli settlements in the Palestinian territory, including East Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. *Calls upon* Israel to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan and to abide scrupulously by the provisions of the Convention, in particular article 49;

3. *Also calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character, status and demographic composition of the Occupied Palestinian Territory, including East Jerusalem;

4. *Reiterates its demand* for the immediate and complete cessation of all Israeli settlement activities in all of the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls in this regard for the full implementation of the relevant resolutions of the Security Council, including resolution 465 (1980);

5. *Demands* that Israel, the occupying Power, comply with its legal obligations, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice;[4]

6. *Reiterates its call for* the prevention of all acts of violence and harassment by Israeli settlers, especially against Palestinian civilians and their properties and agricultural lands, and stresses the need for the implementation of Security Council resolution 904 (1994), in which the Council called upon Israel, the occupying Power, to continue to take and implement measures, including confiscation of arms, aimed at preventing illegal acts of violence by Israeli settlers, and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians in the occupied territory;

7. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution.

[9] A/64/332, A/64/340, A/64/354, A/64/516 and A/64/517.

Draft resolution IV
Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

The General Assembly,

Recalling the Universal Declaration of Human Rights,[1]

Recalling also the International Covenant on Civil and Political Rights,[2] the International Covenant on Economic, Social and Cultural Rights[2] and the Convention on the Rights of the Child,[3] and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming its relevant resolutions, including resolution 63/98 of 5 December 2008, as well as those adopted at its tenth emergency special session,

Recalling the relevant resolutions of the Commission on Human Rights and the Human Rights Council,

Recalling also the relevant resolutions of the Security Council, and stressing the need for their implementation,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[4] and the report of the Secretary-General,[5]

Taking note of the recent reports of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied since 1967,[6]

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice,[7] and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting in particular the Court's reply, including that the construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime are contrary to international law,

Aware of the responsibility of the international community to promote human rights and ensure respect for international law, and recalling in this regard its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

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[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[4] See A/64/339.

[5] A/64/517.

[6] A/HRC/10/20; see also A/64/328.

[7] See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[8] to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Reaffirming further the obligation of the States parties to the Fourth Geneva Convention[8] under articles 146, 147 and 148 with regard to penal sanctions, grave breaches and responsibilities of the High Contracting Parties,

Reaffirming that all States have the right and the duty to take actions in conformity with international law and international humanitarian law to counter deadly acts of violence against their civilian population in order to protect the lives of their citizens,

Stressing the need for full compliance with the Israeli-Palestinian agreements reached within the context of the Middle East peace process, including the Sharm el-Sheikh understandings, and the implementation of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[9]

Stressing also the need for the full implementation of the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005, to allow for the freedom of movement of the Palestinian civilian population within and into and out of the Gaza Strip,

Expressing grave concern about the continuing systematic violation of the human rights of the Palestinian people by Israel, the occupying Power, including that arising from the excessive use of force, the use of collective punishment, the closure of areas, the confiscation of land, the establishment and expansion of settlements, the construction of a wall in the Occupied Palestinian Territory in departure from the Armistice Line of 1949, the destruction of property and infrastructure, and all other actions by it designed to change the legal status, geographical nature and demographic composition of the Occupied Palestinian Territory, including East Jerusalem,

Gravely concerned about the military actions that have been carried out since 28 September 2000 and that have led to thousands of deaths among Palestinian civilians, including hundreds of children, and tens of thousands of injuries,

Gravely concerned in particular about the continuing deterioration in the humanitarian and security situation in the Gaza Strip, including that resulting from the prolonged closures and severe economic and movement restrictions that in effect amount to a blockade and the military operations between December 2008 and January 2009, which caused extensive loss of life and injury, particularly among Palestinian civilians, including children and women; widespread destruction and damage to Palestinian homes, properties, vital infrastructure and public institutions, including hospitals, schools and United Nations facilities; and the internal displacement of civilians, as well as from the firing of rockets into Israel,

Stressing the need for the full implementation by all parties of Security Council resolution 1860 (2009) of 8 January 2009 and General Assembly resolution ES-10/18 of 16 January 2009,

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[8] United Nations, *Treaty Series*, vol. 75, No. 973.

[9] S/2003/529, annex.

Gravely concerned by reports regarding serious human rights violations and grave breaches of international humanitarian law committed during the military operations in the Gaza Strip between December 2008 and January 2009, including the findings in the summary by the Secretary-General of the report of the Board of Inquiry[10] and in the report of the United Nations Fact-finding Mission on the Gaza Conflict,[11] and stressing the necessity for serious follow-up by all parties to the recommendations addressed to them towards ensuring accountability and justice,

Expressing deep concern about the short- and long-term detrimental impact of such widespread destruction and the impeding of the reconstruction process by Israel, the occupying Power, on the human rights situation and on the socio-economic and humanitarian conditions of the Palestinian civilian population,

Expressing deep concern also about the Israeli policy of closures, severe restrictions, and a permit regime that obstruct the freedom of movement of persons and goods, including medical and humanitarian personnel and goods, throughout the Occupied Palestinian Territory, including East Jerusalem, and about the consequent violation of the human rights of the Palestinian people and the negative impact on their socio-economic situation, which remains that of a dire humanitarian crisis, particularly in the Gaza Strip,

Concerned in particular about the continued establishment of Israeli checkpoints in the Occupied Palestinian Territory, including East Jerusalem, and the transformation of several of these checkpoints into structures akin to permanent border crossings inside the Occupied Palestinian Territory, which are severely impairing the territorial contiguity of the Territory and undermining efforts and aid aimed at rehabilitating and developing the Palestinian economy, adversely affecting other aspects of the socio-economic conditions of the Palestinian people,

Expressing deep concern that thousands of Palestinians, including hundreds of children and women, continue to be held in Israeli prisons or detention centres under harsh conditions that impair their well-being, and expressing concern about the ill-treatment and harassment of any Palestinian prisoners and all reports of torture,

Convinced of the need for an international presence to monitor the situation, to contribute to ending the violence and protecting the Palestinian civilian population and to help the parties implement the agreements reached, and, in this regard, recalling the positive contribution of the Temporary International Presence in Hebron,

Emphasizing the right of all people in the region to the enjoyment of human rights as enshrined in the international human rights covenants,

1. *Reiterates* that all measures and actions taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[8] and contrary to the relevant resolutions of the Security Council, are illegal and have no validity;

2. *Demands* that Israel, the occupying Power, cease all practices and actions that violate the human rights of the Palestinian people, including the killing and

[10] See A/63/855-S/2009/250.

[11] A/HRC/12/48.

injury of civilians, and that it respect human rights law and comply with its legal obligations in this regard;

3. *Also demands* that Israel, the occupying Power, comply fully with the provisions of the Fourth Geneva Convention of 1949[8] and cease immediately all measures and actions taken in violation and in breach of the Convention, including all of its settlement activities and the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, which, inter alia, gravely and detrimentally impact the human rights of the Palestinian people;

4. *Condemns* all acts of violence, including all acts of terror, provocation, incitement and destruction, especially the excessive use of force by the Israeli occupying forces against Palestinian civilians, particularly in the Gaza Strip in the recent period, which have caused extensive loss of life and vast numbers of injuries, including among children, massive damage and destruction to homes, properties, vital infrastructure and public institutions, including hospitals, schools and United Nations facilities, and agricultural lands, and internal displacement of civilians;

5. *Expresses grave concern* at the firing of rockets against Israeli civilian areas resulting in loss of life and injury;

6. *Reiterates its demand* for the full implementation of Security Council resolution 1860 (2009);

7. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character, status and demographic composition of the Occupied Palestinian Territory, including East Jerusalem;

8. *Demands* that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice[7] and as demanded in resolutions ES-10/15 of 20 July 2004 and ES-10/13 of 21 October 2003, and that it immediately cease the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, dismantle forthwith the structure situated therein, repeal or render ineffective all legislative and regulatory acts relating thereto, and make reparation for all damage caused by the construction of the wall, which has gravely impacted the human rights and the socio-economic living conditions of the Palestinian people;

9. *Reiterates* the need for respect for the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory and for guarantees of the freedom of movement of persons and goods within the Palestinian territory, including movement into and from East Jerusalem, into and from the Gaza Strip, and to and from the outside world;

10. *Calls upon* Israel, the occupying Power, to cease its imposition of prolonged closures and economic and movement restrictions, including those amounting to a blockade on the Gaza Strip, and, in this regard, to fully implement the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005;

11. *Urges* Member States to continue to provide emergency assistance to the Palestinian people to alleviate the financial crisis and the dire socio-economic and humanitarian situation, particularly in the Gaza Strip;

12. *Emphasizes* the need to preserve and develop the Palestinian institutions and infrastructure for the provision of vital public services to the Palestinian civilian population and the promotion of human rights, including civil, political, economic, social and cultural rights;

13. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution.

Draft resolution V
The occupied Syrian Golan

The General Assembly,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,[1]

Deeply concerned that the Syrian Golan, occupied since 1967, has been under continued Israeli military occupation,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its previous relevant resolutions, the most recent of which was resolution 63/99 of 5 December 2008,

Having considered the report of the Secretary-General submitted in pursuance of resolution 63/99,[2]

Recalling its previous relevant resolutions in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories,

Reaffirming once more the illegality of the decision of 14 December 1981 taken by Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under international law, including the Charter of the United Nations,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] to the occupied Syrian Golan,

Bearing in mind Security Council resolution 237 (1967) of 14 June 1967,

Welcoming the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 aimed at the realization of a just, comprehensive and lasting peace, and expressing grave concern about the stalling of the peace process on all tracks,

1. *Calls upon* Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, in particular Security Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect and demanded that Israel, the occupying Power, rescind forthwith its decision;

2. *Also calls upon* Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;

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[1] See A/64/339.

[2] A/64/354.

[3] United Nations, *Treaty Series*, vol. 75, No. 973.

3. *Determines* that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] and have no legal effect;

4. *Calls upon* Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and from its repressive measures against the population of the occupied Syrian Golan;

5. *Deplores* the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

6. *Calls once again upon* Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution.